(A) IDENTIFICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s):	David Salgado	CONF. NO.:	5473
SERIAL NO.:	09/448,804	ART UNIT:	2164
FILING DATE:	11/24/1999	EXAMINER:	Pannala, Sathyanaraya R.
TITLE:	METHOD AND APPARATUS FOR MANAGING SOFTWARE COPYRIGHT YEARS IN A MULTIPLE PLATFORM ELECTRONIC REPROGRAPHICS		
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Appellant's Brief
(37 C.F.R. §41.37)

This is an appeal from the final rejection dated December 21, 2010 of the claims in the subject application. A Notice of Appeal was mailed on March 22, 2010 along with a Pre-Appeal Request for Review. A Panel Decision dated May 5, 2010 upheld the final rejection.

(B) TABLE OF CONTENTS

(C)   REAL PARTY IN INTEREST

Xerox Corporation

(D)   RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences.

(E)   STATUS OF THE CLAIMS

Claims 1-21 are pending in the application.

Claims 1-21 have been finally rejected.

The claims on appeal are 1-21.

(F)   STATUS OF AMENDMENTS FILED SUBSEQUENT TO FINAL REJECTION

An Amendment After Final Rejection was filed February 22, 2010. It was entered for purposes of appeal in the Advisory Action of March 8, 2010. Further, in the Advisory Action the Examiner stated that the claims objection in the Final Rejection was withdrawn.

(G)   SUMMARY OF THE CLAIMED SUBJECT MATTER

In brief, the claimed invention is concerned with the problem of attribute data, e.g. original and updated copyright years, on multiple platforms. If all years are not displayed by a data reporting system, a loss of copyright could occur. To solve this problem, a method for managing attribute data in a document processing apparatus has a system controller in the document processing apparatus polling at least two platform controllers in the document processing apparatus for attribute data. The system manager collects the attribute data from the at least two platform controllers in response to the polling; and the collected attribute data are displayed on a user display of the document processing apparatus for managing attribute data in the document processing apparatus.

Also claimed are corresponding data reporting and software copyright information management systems.

The appeal independent claims are:

1.   A multiple platform (Fig. 2, 23a, 23b; p. 4, ll. 15-16) architecture data reporting system (Fig. 2, 21; p. 4, ll. 7 and 8) for managing attribute data in a document processing apparatus (Fig. 1, 10; p. 3, l. 26), the system, embodied on a computer readable medium in the document processing apparatus, comprising:

a system manager (Fig. 2, 22; p. 4, l. 15); and

at least one platform controller (Fig. 2, 23a, 23b; p. 4, ll. 15-16) coupled to the system manager, the system manager configured to:

collect attribute data (Fig. 3 and 4, 30b; p. 5, l. 15) including copyright data pertaining to software from each platform controller;

recognize the copyright data in the attribute data (p. 5, l. 19); and

process (Fig. 4, 40e; p. 5, ll. 23-25) the copyright data into a list of copyright data for the system; and

a user interface (Fig. 2, 27; p. 4, l. 16) connected to the system manager for displaying (Fig. 3, 4 and 30c) the collected attribute data in the list to a user (p. 5, ll. 5 and 6).

3.   A method for managing attribute data (p. 4, l. 8) in a document processing apparatus (Fig. 10; p. 3, l. 26), the method comprising the steps of:

a system controller (Fig. 2, 22; p. 4, l. 15) in the document processing apparatus polling at least two platform controllers (Fig. 2, 23a, 23b; p. 4, ll. 15-16) in the document processing apparatus for attribute data (Fig. 3, 30a; p. 5, l. 18);

the system manager collecting (Fig. 3 and 4, 30b; p. 5, l. 19) the attribute data from the at least two platform controllers in response to the step of polling; and

displaying (Fig. 3, 4 and 30c; p. 5, ll. 5 and 6) the collected attribute data on a user display (Fig. 2, 27; p. 4, l. 16) of the document processing apparatus for managing attribute data in the document processing apparatus.

12.   . A software copyright information managing system embodied on a computer readable medium for managing software copyright data (p. 4, l. 8) in a document processing apparatus (Fig. 1, 10; p. 3, l. 26), the system comprising:

a system controller (Fig. 2, 22; p. 4, l. 15);

at least one platform controller (Fig. 2, 23a, 23b; p. 4, ll. 15-16) coupled to the system controller, the system controller being configured to collect (Figs. 3 and 4, 30b; p. 5, l. 15) the software copyright data stored on each platform controller;

a user interface (Fig. 2, 27; p. 4, l. 16) connected to the system controller for displaying (Figs. 3 and 4, 30c) the software copyright data from the memory to a user (p. 5, ll. 5 and 6).

The following dependent claims are being separately argued.

4.   The method as in claim 3 wherein the step of polling at least two platform controllers for attribute data further comprises the step of automatically polling the at least two platform controllers during power on of at least one of the at least two platform controllers (p. 4, ll. 28-30).

5.   The method as in claim 3 wherein the step of polling at least two platforms for attribute data further comprises the step of polling at least one of the at least two platform controllers when polling is initiated by a user request (p. 4, ll. 28-30).

6.   The method as in claim 3 wherein the step of collecting the attribute data from the at least two platforms in response to the step of polling further comprises the step of collecting the copyright information from the at least two platform controllers (p. 2, ll. 25 and 26; p. 5, l. 18).

7.   The method as in claim 3 wherein the step of collecting the attribute data from the at least two platforms in response to the step of polling further comprises the step of collecting the license information from the at least two platform controllers (p. 5, l. 20).

9.   The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of automatically displaying the attribute data collected from the at least two platform controllers (p. 6, ll. 9 and 10, 19-20).

10.   The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of manually displaying the attribute data collected from the at least two platform controllers (p. 6, ll. 14-19).

11.   The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of displaying only non- copyright attribute data collected from the at least two platforms (claim 11 as filed, p. 5, ll. 19-21).

15.   The multiple platform architecture data reporting system as in Claim 1 wherein the system manager collects attribute data from platform controller simultaneously (p. 6, l. 15).

(H)   GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

1. Whether claims 1-2 are anticipated under 35 U.S.C. 102(e) by U.S. Patent No. 6,301,710 (Fujiwara).

2. Whether claims 3-7, 9-13, 15-19 and 21 are obvious under 35 U.S.C. 103(a) over U.S. Patent No. 6,301,710 (Fujiwara) in view of U.S. Patent No. 6,151,624 (Teare).

3. Whether claims 8, 14 and 20 are obvious under 35 U.S.C. 103(a) over U.S. Patent No. 6,301,710 (Fujiwara) in view of Teare and Saito (USPA Pub. 20020073035).

(I) ARGUMENT

A.   Rejection of claims 1 and 2 under 35 U.S.C. 102(e) over U.S. Patent No. 6,301,710

Claim 1 recites "...a system manager; and at least one platform controller coupled to the system manager...". The Examiner has cited column 1, lines 29-31 of Fujiwara, for this feature. While programs are disclosed which control computer systems, there is no disclosure of a system manager or a platform controller as recited in claim 1.

In the Advisory Action the Examiner cites Col. 1, ll. 20-23, as disclosing this feature. However, the only disclosure therein is of creating a substitute registry when automatically installing an update program. Thus, these lines do not disclose anything about the recited limitations.

Claim 1 further recites "...the system manager configured to: collect attribute data including copyright data pertaining to software from each platform controller...". The Examiner has cited Figure 4 and column 6, lines 15-16 and 22-24, for this feature. It is respectfully submitted that the claimed feature is not disclosed since "possess" is not the same as the claimed "collect".

In the Advisory Action the Examiner equates "selecting" with "collecting". It is respectfully submitted that "collecting" means to gather together, while "selecting" means to chose apart, i.e. "selecting" means not to collect everything available. Thus the words are not equivalents.

Claim 1 also recites "...recognize the copyright data in the attribute data...". The Examiner cites Figure 4 and column 6, lines 28-31, and column 10, lines 3-6. While copyright notice is mentioned in the latter citation, there is no <u>recognition</u> of such notice disclosed therein.

Claim 1 further recites "...process the copyright data into a list of copyright data for the system...". The Examiner again cites column 10, lines 3-6. However, again while copyright is mentioned, there is no disclosure of the claimed list or process therein.

Claim 1 also recites "...a user interface connected to the system manager for displaying the collected attribute data in the list to a user." The Examiner has cited Figure 3; and column 6, lines 51-53. However, all that is disclosed therein is that details of the individual software programs included in client registries 355 can be viewed and accessed. This is not the same as the "list" of "copyright data" that is collected recognized and processed as claimed by Applicant.

At least for these reasons, Applicants submit that Fujiwara does not anticipate independent claim 1 and dependent claim 2.

B.   The rejection under 35 U.S.C. 103(a) over Fujiwara in view of Teare.

1.   Claims 3-7, 9-13, 15-19 and 21.

The combination of Fujiwara and Teare fails to disclose or suggest the recited "collecting" step of claims 3 and 12. While Teare does disclose "polling", this is not the same as "collecting". In particular, "polling" means to take a count, while, as explained above, "collecting" means to gather together. In the Advisory Action the Examiner states that the terms are equivalent given their broadest reasonable interpretation. However, this must be consistent with the disclosure and how one of ordinary skill in the art would interpret the terms, see MPEP 2111 and *In re Cartright*, 49 USPQ2d 1464, 1468. Here, the Examiner is expanding the terms beyond their reasonable meaning. Further, since the objects of Fujiwara and Teare are so different, it is not obvious to combine them. This is especially true since they involve obviously complex arts, see *KSR International Co. v. Teleflex Inc.*, 82 USPQ 2d 1385, 1396.

2.   Claim 4.

Claim 4 recites polling during power on. The Examiner cites Figure 7 and column 6, lines 1-3, of Teare for this feature. However, there is no such disclosure therein. Apparently, the Examiner is referring to column 5, lines 10-12, since it has the quoted language. However, the quoted language discloses nothing about what happens during power on. For this additional reason, claim 4 is patentable.

3. Claim 5

In a telephone conference with the Examiner on 20 May 2010, the Examiner stated that the proper portion of Fujiwara to cite against claim 5 is col. 9, l. 66, to col. 10, l. 6. However, the cited portion discloses what miscellaneous information can comprise. Absolutely nothing is disclosed therein about the claimed polling of at least one of the at least two platform controls when polling is initiated. For this additional reason, claim 5 is patentable.

4. Claim 6

The cited portions of Fujiwara disclose what attributes browser program 330 may have (col. 6, ll. 15-16) and what configuration files 340 may include (col. 6, ll., 22-24). These portions have no disclosure of collecting copyright information as presently claimed. For this additional reason, claimed 6 is patentable.

5. Claim 7

This cited portion of Fujiwara apparently should be col. 10, ll. 3-6 and not ll. 20-23. While ll. 3-6 mention license information, there is no disclosure of collection license information as presently claimed. For this additional reason, claim 7 is patentable.

6. Claim 9

The cited portion of Fujiwara disclose displaying, However there is no disclosure of the claimed <u>automatically</u> displaying. For this additional reason, claim 9 is patentable.

7. Claim 10

The cited portion of Fujiwara discloses displaying. However, there is no disclosure of the claimed <u>manually</u> displaying. For this additional reason, claim 10 is patentable.

8. Claim 11

The cited portion of Fujiwara discloses what miscellaneous information 918 can include. However the cited portion fails to disclose displaying only non-copyright data as claimed. For this additional reason, claim 11 is patentable.

9. Claim 15

The cited portion of Fujiwara discloses a plurality of client systems. However, it fails to disclose simultaneously collecting data as claimed. For this additional reason claim 15 is patentable.

C.   The rejection of claims 8, 14 and 20 under 35 U.S.C. 103(a) over Fujiwara, Teare and Saito.

Saito also does not disclose the above-discussed limitations. Thus, the combination of Fujiara, Teare and Saito fails to disclose or suggest the above-discussed and claimed limitations.

Therefore, the combination of Fujiwara, Teare and Saito fails to render claims 8, 14 and 20 unpatentable.

For all the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, a reversal of the Examiner is respectfully requested from this Honorable Board. Should any unresolved issues remain, the Board is invited to call Applicant's attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of $540 for this brief and for any other fees associated with this communication or credit any overpayment to Deposit Account No. 16-1350.

Respectfully submitted,

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(J)   CLAIM APPENDIX

1.   A multiple platform architecture data reporting system for managing attribute data in a document processing apparatus, the system, embodied on a computer readable medium in the document processing apparatus, comprising:

a system manager; and

at least one platform controller coupled to the system manager, the system manager configured to:

collect attribute data including copyright data pertaining to software from each platform controller;

recognize the copyright data in the attribute data ; and

process the copyright data into a list of copyright data for the system; and

a user interface connected to the system manager for displaying the collected attribute data in the list to a user.

2.   The multiple platform architecture data reporting system as in claim 1 wherein the system manager comprises memory for storing attribute data collected by the system manager.

3.   A method for managing attribute data in a document processing apparatus, the method comprising the steps of:

a system controller in the document processing apparatus polling at least two platform controllers in the document processing apparatus for attribute data;

the system manager collecting the attribute data from the at least two platform controllers in response to the step of polling; and

> displaying the collected attribute data on a user display of the document
> processing apparatus for managing attribute data in the document processing
> apparatus.

4.   The method as in claim 3 wherein the step of polling at least two platform controllers for attribute data further comprises the step of automatically polling the at least two platform controllers during power on of at least one of the at least two platform controllers.

5.   The method as in claim 3 wherein the step of polling at least two platforms for attribute data further comprises the step of polling at least one of the at least two platform controllers when polling is initiated by a user request.

6.   The method as in claim 3 wherein the step of collecting the attribute data from the at least two platforms in response to the step of polling further comprises the step of collecting the copyright information from the at least two platform controllers.

7.   The method as in claim 3 wherein the step of collecting the attribute data from the at least two platforms in response to the step of polling further comprises the step of collecting the license information from the at least two platform controllers.

8.   The method as in claim 3 wherein the document processing apparatus is a copier, a fax machine, a computer printer, a scanner or a multifunction device.

9.   The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of automatically displaying the attribute data collected from the at least two platform controllers.

10.   The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of manually displaying the attribute data collected from the at least two platform controllers.

11. The method as in claim 3 wherein the step of displaying the collected attribute data on a user display further comprises the step of displaying only non- copyright attribute data collected from the at least two platforms.

12. A software copyright information managing system embodied on a computer readable medium for managing software copyright data in a document processing apparatus, the system comprising:

a system controller;

at least one platform controller coupled to the system controller, the system controller being configured to collect the software copyright data stored on each platform controller;

a user interface connected to the system controller for displaying the software copyright data from the memory to a user.

13. The software copyright information managing system as in claim 12 wherein the system controller for collecting the software copyright data from multiple platforms further comprises a memory for storing the software copyright data collected by the system controller.

14. The software copyright information managing system as in claim 13 wherein the document processing apparatus is a copier, a fax machine, a computer printer, a scanner or a multifunction device.

15. The multiple platform architecture data reporting system as in Claim 1 wherein the system manager collects attribute data from platform controller simultaneously.

16. The multiple platform architecture data reporting system as in Claim 1 wherein the attribute data collected is attribute data stored on each platform controller and is passed to the user interface.

17.   The system of claim 1 wherein the list is a list of copyright years for the system in its entirety.

18.   The system of claim 1 wherein the attribute data comprises copyright and license data related to software.

19.   The system of claim 1 wherein the attribute data is a list of copyright years related to each software object of the system.

20.   The system of claim 1 wherein the document processing apparatus is a copier, a fax machine, a computer printer, a scanner or a multifunction device.

21.   The method of claim 3 further comprising the attribute data comprising copyright data for each software object on each platform controller.

(K) EVIDENCE APPENDIX

N/A

(L)   RELATED PROCEEDINGS APPENDIX

N/A